



Franklin Regional Council of Governments

Executive Committee —MINUTES

Date & Time:	Tuesday, October 17, 2017/ 5:00 p.m.
Location:	FRCOG Offices, 12 Olive Street, Greenfield, MA – Room 221/Library
Facilitator:	Bill Perlman, Chair

Representatives Present:

- Jay DiPucchio, Regionally Elected
- Bill Perlman, Regionally Elected
- Jim Basford, Regional Planning Board
- Bill Martin, Council Appointee, Greenfield

Staff Members Present:

- Linda Dunlavy, Executive Director
- Bob Dean, Director Regional Services
- Phoebe Walker, Community Services
- Rebekah Boyd, Admin Services

Guests:

- Marguerite Reynolds, DCR
- John Sears, Hawley abutter
- Mike Slowinski, Colrain
- John O'Rourke, FRCOG Council Chair, Conway

EXECUTIVE COMMITTEE MEETING AGENDA:

1. Review and adopt 9.14.17 Executive Committee minutes

Bill P. opened the meeting at 5:00 p.m.

Bill M. moved adoption of the 9.14.17 minutes. Jay D. seconded. The motion passed unanimously.

2. Hawley road discontinuance petition

Bill Perlman opened the hearing at 5:01 p.m. to consider discontinuance of a section of Middle Rd. in Hawley.

Bill M. moved to dispense with the reading of the notice of hearing. Jay D. seconded. Motion passed with all in favor.

Bob D. explained that Middle Rd., which runs through the Hawley State Forest, was rendered impassable by Hurricane Irene in 2011. The town contacted the state requesting they step in and fix the road. The Department of Conservation and Recreation (DCR) informed them that the agency can't use state funds to fix a road it doesn't own. Thus, the town filed a petition to discontinue a portion of the road, which will then revert to the abutter — the state — so it can be repaired.

Bob recently spoke with the Hawley Town Clerk and Treasurer, and learned that they haven't yet received needed information regarding: 1.) who will maintain the road for emergency vehicles once repaired, and 2.) the impact of the discontinuance on chapter 90. The town is in favor of the discontinuance but wants these questions answered.

Jim B. asked if Hawley will withdraw support if a maintenance agreement can't be reached.

John Sears, who was involved with the DCR-Hawley negotiation before stepping down from the Selectboard, said he thought that if DCR repairs it, the town is committed to maintaining the road, as it connects one side of town to the other. The town has wanted the repairs to the road done since 2011. The road hasn't been maintained since DCR took over.

As an abutter (representing himself, not the town), John added that it was vital to define the piece of road to be discontinued accurately. The gate near Forge Hill Road closes in winter, but it's not the borderline. It must be defined as the northern border of the Dubuque State Forest, not the gate. And the intersection with South Rd. should be the southern end of discontinuance, he said. Town officials want to see an agreement in writing, Bob reiterated. Because Hawley received chap 90 funds for all of Middle Rd, they worry that if they give up the road, but not the maintenance, they may lose the funding.

Marguerite Reynolds, a representative from DCR, told members that the agency had filed an amendment to the wording that corrects a previous miscalculation of the length of road needing to be discontinued. She noted that the original plans presented by the agency did not intend to cut John Sears' driveway off from access to a maintained town road.

Members wanted to know if the town's questions can be answered and an agreement drawn up in 3 weeks. Marguerite felt it could happen soon. Will DCR plan to do the work before snow flies? Marguerite presumes so.

Bill M. moved to continue the hearing to November 9 at 5 p.m. Jay D. seconded. The motion carried with all in favor.

3. Testimony to Cannabis Control Commission and recreational marijuana update

Phoebe Walker explained her handouts: the first handout is the takeaway from the FRCOG workshop on September 7 with the AG's office and describes where the state and towns currently stand regarding recreational marijuana regulation and planning. The second handout is list of municipal considerations FRCOG believes to be important.

The Cannabis Control Commission (CCC) was just formed, is holding hearings now, and invites comment until October 31. Peggy represented FRCOG on Friday, 10/13. Staff envisions spending lots of time helping town Planning Boards with zoning work, etc., and feels that once the Commission has completed its forums, we'll know more about the role of health boards.

Members and staff discussed the attractiveness to kids of buying single (less expensive) marijuana portions; banning marketing to children with childlike packaging; the excitement around growing hemp outdoors; a movement in Greenfield on an aggregate farm proposal to form a growing co-op; the need for farmers to have financial access for start-up of a marijuana business; the suggestion that towns have a temporary moratorium on retail sales, cultivation, and processing next year so they can think carefully about what they want in their towns and where; regulating the sale of edibles; limits on advertising; ideas for disbursement of revenue from sales to inspections permitting and emergency

response; the cost to towns for policing; banning use in the workplace and on private property; and so on.

Phoebe reported that from a public health perspective, protections included in the final law are impressive. Nothing that looks like candy will be legal and all packaging will be clearly labeled with individual units. Edibles will no longer be exempted from food inspections and the CCC is currently working with Department of Public Health to determine how inspections will be carried out. Questions for FRCOG and health departments regarding cost and the tracking of inspections by already overburdened health inspectors are as yet unanswered. Towns remain concerned about the emergency response costs and challenges. Peggy will give us info about moratoria and expects questions about zoning to be prevalent in coming months. FRCOG staff will have template marijuana retail host agreements for towns to use soon.

In another matter, Bill M. announced that Greenfield will join a class action lawsuit against opioid pharmaceutical companies. He suggests FRCOG should come on board. The class action law suit is modeled after that against the tobacco industry with no cost to any municipality that joins.

4. Ceiling project logistic

Linda explained that the “popcorn” in the building’s ceiling traps smut released in the filtered air through the vents. While funding exists, the FRTA wants to remove the material, which has started to blacken around the vents. This project will be extensive as all the light fixtures are lowered 2-3 inches to accommodate the sprayed-in goop. Experts are exploring options to minimize disruption. Linda asked the committee to consider whether it felt FRCOG should close the office and allow staff to work at home, or encapsulate areas of the office and continuing business as usual while the ceiling work was done. Staff is concerned about breathing hazards during the project.

Members weighed health costs and the costs to the agency of closing. Staff all working in the Allen meeting room downstairs is one option. The Committee asked for progress reports about the project.

5. FCECS update

Bill P. reported that radio reception testing in towns continues. The FCECS Oversight Committee has preliminary data, which is questionable, and needs verification. He reiterated the need to communicate to towns that some kind of major change or renovation is inevitable. This could be anything from repairing what we have to migration to the state. Staff and the oversight board are gathering info so towns can choose; FRCOG will just be the agent. Members agreed wholeheartedly. Meanwhile the oversight board is moving forward with some repairs.

6. Finance Director search update

Linda said a Collins Center consultant met all day with staff, including those with complex grant reporting requirements, to offer their thoughts on what qualities and skills are needed in a new FRCOG Finance Director. The Collins Center will deliver a draft advertising package to FRCOG by Friday, and advertising will begin soon after. The Finance Committee and others will help with the interviewing. Pat leaves March 30.

Staff and members discussed the need for a succession plan with a large wave of retirees approaching in five years. Members suggested keeping job descriptions up to date and possibly hiring assistants to

the directors to be ready for the retiree onslaught. Linda said staff has discussed strategic planning, but agrees it will need to wait until after the hiring of the FD.

7. Updates and announcements

The strategic planning proposal estimate came in at \$34,000, making it unaffordable for the FRCOG.

8. Business Not Reasonably Anticipated 48 Hours in Advance

Jim B. made a motion to adjourn. Bill P. seconded. All in favor.

Documents Distributed:

- Agenda
- 9.14.17 Executive Committee minutes
- FRCOG Executive Committee Road Action Hearing Protocol: Hawley Middle Road Discontinuance Hearing
- Highway Hearing on #RA-2017-02, Town of Hawley, Notice of Hearing
- Amendment to Petition to Discontinue Remaining Sections of Middle Road, Hawley, MA
- Letter from Hawley Selectboard in support of the petition to discontinue Middle Road
- Map of portion of Middle Road, Hawley to be discontinued.
- Notes from FRCOG's Recreational Marijuana Municipal Roles and Responsibilities Workshop, dated 9.7.17
- Comments from the Cannabis Control Commission Public Listening Session, dated 10.13.17